

# **FREEDOM OF RELIGION IN NIGERIA**

## **An On-going Project.**

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**Notes for discussion at a meeting organised by the United States**  
**Commission on International Religious Freedom, USCIRF).**  
**Capitol Hill, Washington, DC, April 22<sup>nd</sup> 2009.**

### **Introduction:**

When a delegation of the USCIRF visited Nigeria a few weeks ago, I was personally very impressed by the fact that the US government was interested in the situation of religious freedom on the international level. Obviously, it meant that the US believes that religious freedom is good not only for the American people, but for all nations of the world. During our interaction, I noticed a genuine sense of concern about the situation in our country Nigeria. That is why I was happy to quickly accept the invitation to continue here in Washington the useful discussions we already started in Abuja. I am glad that the Sultan, as spiritual head of Nigerian Muslims, has been able to participate in these conversations. For us in Nigeria, the issues raised by religious freedom are an “on-going project” at which we are all working with doggedness and determination. After Washington, the struggle continues at home.

### **1. Religious Freedom in General:**

Freedom of religion has become today in the international community a matter of general consensus. Among other freedoms and

rights, it is enshrined in the Universal Declaration of Human Rights, and other similar declarations. After the right to life, the freedom to be allowed to live, the next most fundamental is the right to freedom of religion. This concerns not only the freedom to hold one's belief and faith, but also to express it and share it with others. Freedom of religion concerns both words and practice, in private and in public, individually and in community. On each of these couplets, one can produce a whole thesis.

Freedom of religion also necessarily includes the freedom to change one's religion, as well as to have no religion at all. From a religious – or theological – point of view, such sweeping freedom derives from the free will with which God Himself has endowed his human creatures. The freedom given by God must not be taken away by anyone. Because of this there is a religious dimension to those issues we call “fundamental human rights,” in the sense that God is involved. Conversely, freedom of religion is not simply a “religious” matter. It is also a matter of human rights, as already mentioned above.

## **2. The Reality around us.**

Religious freedom, like many grand ideas and ideals, is not only a matter of theory and documents. When we look at the reality on the ground, what we see often falls far short of what is proclaimed. There are many reasons for this. We can mention just a few:

- a) At times there is outright rejection of these principles. Many people simply do not agree that such rights exist in an inalienable and universal way. Thus we hear it said sometimes that these things are products of secularization and godlessness.

- b) More often, the contents are interpreted in a way that limits their applicability in all cases, or accepts some elements while denying others. An example of the latter is when people are allowed only private freedom of religion without any external or public manifestations.
- c) Rights go with duties and the freedom of one person stops where the freedom of the other begins. There is also the need to reconcile freedom with good public order. Here comes the duty of civil authorities to make good laws that would guarantee the freedom of all, as well as protect the rights of everyone. This is not always an easy task. That is how in many cases, freedom of religion is sacrificed to the presumed exigencies of public order.
- d) Finally, religion being an all-embracing human emotion, often cuts across other factors like cultural, social, political and even at times economic. When religion becomes high-jacked and manipulated for other agenda, freedom of religion is often compromised.

All the points mentioned above are not simply a theoretical analysis. They are drawn from our daily experience, in most places, and certainly in our country Nigeria.

### **3. The Nigerian Situation:**

In Nigeria, there are many examples of the painful distance between the ideals of religious freedom and the realities on ground. On the theoretical level, the Nigerian constitution is very clear and comprehensive about the basic rights of the citizen. All the provisions of the Universal Declaration of Human Rights, as well as other conventions and agreements are well reflected in our basic law. On the whole, these

provisions are upheld by the law of the land. Most people are also aware of their rights and they pursue these rights with all their might.

But the reality often falls far short of the beautiful statements in the constitution. What is particularly frustrating is that most of the rights are not subject to legal reclamation. What does it mean to have a right when one has no way of legally demanding it? Furthermore, because of the complex nature of our national society, there are some provisions, introduced to deal with some particular concerns which tend to contradict certain provisions of the fundamental principles. These are regular topics for legal battles in the courts.

Problems are often created in the area of religious freedom by people with fanatical and exclusive views of their own religions, making no room for others to believe differently. Such fanatics exist on both sides of the religious divide in Nigeria. These are people who say they cannot tolerate a church or a mosque in their neighbourhood. They also try to disrupt orderly religious processions and public celebrations. Even in such cases, however, if the civil authorities exercise their responsibility to maintain good order and protect the rights of everyone, crisis can be avoided. Problems escalate when the civil authorities or/and their agents are themselves biased in favour of such fanatics.

It is sometimes difficult to draw the line between exercising one's right to freedom of religion, and creating a nuisance to others. Examples include loud all-night religious revival sessions in a residential area, blocking of the highway for religious gathering on Fridays and Sundays, preaching and invitation to conversion in the public media, etc. But even in these cases, there is always a way to maintain good relations with all. Here the role of the religious leaders is crucial.

#### **4. Our Historical Baggage:**

The challenges before us have some historical dimensions. I will mention just two different ones.

First, the pre-Nigeria traditional societies were largely homogenous communities in everything, including religion. Everyone believed in and practiced the same religion. At times there is still some lingering mentality that all must be the same and that what is different is foreign and bad.

Second factor is the absolute claims of Islam and Christianity, in the forms in which they were received among our people. Each claims to be the true religion. At best, there is a toleration of the other. It requires special effort and education to bring people to accept the other religion as at least true for their adherents.

#### **5. The Nigerian Project:**

As Nigerians, we have been working hard at the project of building mutual respect and acceptance, without which there would be no genuine freedom of religion. Although, like almost all African nations, our boundaries were drawn by others, we have settled to be together, despite our differences of cultures, languages and religions. It is a project of forging unity out of our diversities, not only living with but actually celebrating our differences. In the area of religion, this means that we try to respect the freedom of everyone and of every group.

As at now most Nigerians are either Christians or Muslims, and are of fairly equal numerical strength. Freedom of religion boils down to freedom for Nigerians to be either Muslims or Christians. Our relatively

few cases of Christian Muslim conflicts often receive wide publicity on the world media, giving our nation an undeserved negative reputation in this regard. Conscious and by no means futile efforts are being made to resolve those conflicts, and to create better conditions for peaceful living together. We are also making efforts to go beyond “tolerance” to mutual respect and acceptance. We are discovering the force of inter-religious co-operation in tackling common challenges, on the basis of our shared moral and spiritual values. This raises religious freedom to a higher level of freely working together under God. This is what has brought the Sultan and me to Washington these days.

#### **6. Sharia as a test case.**

A few years ago, some state governments decided to enact different forms of Sharia legislation as state law. This was a new development which raised a lot of crisis. Thousands of lives and a lot of property were destroyed in riots that I believe could have been avoided. Presently, an uneasy truce reigns over this issue. Many people, especially Christians, continue to maintain that this **political** step has negatively affected their freedom of religion. This is because the move was presented as an Islamic agenda. There is still argument whether this was religious or politically. I see it as a classical case of political manipulation of religious sentiments.

Among the issues raised by those who oppose the move are the following:

- Muslims have every right to regulate their daily lives in accordance with their religious injunctions, like every other Nigerian, and Nigerian Muslims in other states, are doing. To make this into a

state law makes Islam the official religion of the state, contrary to our constitution.

- We are told that it concerns only Muslims. But in realities, its laws are binding on all within the state, e.g. with regard to the prohibition of certain businesses and occupation legitimate in under Nigerian law. We must listen to those who are directly concerned.
- From point of the Nigerian constitution, there is strong controversy over the constitutionality of the move, a controversy that is still to be resolved.

It is hoped that a solution will be worked out that will guarantee the freedom of all, Muslims and others, to practice the religion of their choice, under one law in the one nation. This may well be the litmus test for how genuine is the culture of religious freedom in our land.

### **Conclusion:**

Ours is a wonderful country with wonderful people. We enjoy a wide margin of freedom of religion. That is why we do not tolerate whatever seems to encroach on this freedom, under whatever justification. Our nation has over 140 million Christians and Muslims living in almost equal numbers. There is no nation in the world with so great a mixture of the two great religions. Our efforts to live together in peace are often underrated. We are building an Islamo-Christian nation that we believe should be seen as a model and example of how the adherents of these two religions can live together, in equality, mutual respect and acceptance.